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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/273,646	03/23/1999	SHLOMO BEN-HAIM	20088-13	7390

7590 12/06/2001

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EXAMINER

CASLER, BRIAN L

ART UNIT

PAPER NUMBER

3737

DATE MAILED: 12/06/2001

Please find below and/or attached an Office communication concerning this application or proceeding.



APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO./TITLE
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DATE MAILED:

NOTICE OF IMPROPER CPA FILING UNDER 37 CFR 1.53(d)
No Filing Date Granted

The Continued Prosecution Application (CPA) request deposited on 11/21/01 is improper under 37 CFR 1.53(d) and has **not** been granted a filing date for reason(s) indicated below:

Any assertions that the above-mentioned CPA request is proper under 37 CFR 1.53(d) must be by way of petition directed to the attention of the Office of Petitions. Any such petition must be accompanied by the \$130.00 petition fee (37 CFR 1.17(i)). If the petition alleges that no defect exists, a request for refund of the petition fee may be included in the petition.

Any petition **must** be submitted within **TWO MONTHS** of the date of this notice (37 CFR 1.181(f)) or the application may be returned or otherwise disposed of and the filing fee, if submitted, will be refunded less the \$130.00 handling fee (37 CFR 1.21(n)). **THIS TIME LIMIT MAY NOT BE EXTENDED PURSUANT TO 37 CFR 1.136.**

- ☐ 1. The prior application is not a complete (37 CFR 1.51(b)) application or the national stage of a PCT international application that is in compliance with 35 U.S.C. 371.
- ☐ 2. The request for a CPA was not filed before the payment of the issue fee on the prior application. The issue fee was paid on the prior application on _____.
- ☐ 3. The request for a CPA was not filed before the abandonment of, or termination of proceedings on, the prior application. The prior application was abandoned, or proceedings terminated on _____.
- ☒ 4. A petition under 37 CFR 1.136(a) and appropriate fee are necessary to establish copendency between this CPA and the prior application.

☒ 5. OTHER: *There are insufficient funds to process the extension fee as of 12/6/01.*

A copy of this notice MUST be returned with the reply.

Direct the reply and any questions about this Notice to:

R. Johnson

Examining Group 3737

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